



UNITED STATES
PATENT AND
TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
WWW.USPTO.GOV

MAR 19 2001

Martin & Ferraro
14500 Avion Parkway, Suite 300
Chantilly VA 20151-1101

Paper No. #25

In re Application of
Gary K. Michelson, M.D.
Serial No. : 08/484,928
Filed : June 7, 1995
For : Frusto-Conical Interbody Spinal
Fusion Implant

: DECISION ON PETITION
: TO WITHDRAW
: HOLDING OF
: ABANDONMENT

This is a decision on petitioner's request filed February 14, 2001 to review the holding of abandonment mailed January 29, 2001 for failure to respond to the Office action mailed June 16, 2000. There is no fee required for this petition.

In support of the request, petitioner has submitted a copy of a response that included a three-month extension of time request, proposed drawing corrections, and an IDS, as well as a copy of a PTO stamped receipt dated December 5, 2000. It is noted that the original response has been found and is now in the file. Any inconvenience is respectfully regretted.

In view of the above, the Notice of Abandonment mailed January 29, 2001 is in error and is hereby vacated. The holding of abandonment is withdrawn. Upon the mailing of this decision, the application will be forwarded to the Examiner via the Legal Instruments Examiner for entry and consideration of the response filed December 5, 2000.

Summary: Holding of Abandonment Withdrawn.



John E. Kittle, Director
Groups 3730 and 3760
Phone: (703) 308-0873

ak/3/07/01